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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/240,134	01/29/1999	FUMIAKI TAKAHASHI	B208-685 DIV	6964

26272 7590 05/25/2004

ROBIN BLECKER & DALEY
2ND FLOOR
330 MADISON AVENUE
NEW YORK, NY 10017

EXAMINER

LUU, LE HIEN

ART UNIT	PAPER NUMBER
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2141

DATE MAILED: 05/25/2004

30

Please find below and/or attached an Office communication concerning this application or proceeding.

3

Office Action Summary

Application No.

09/240,134

Applicant(s)

TAKAHASHI ET AL.

Examiner

Le H Luu

Art Unit

2141

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 December 2003.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 33,47-53,55-63 and 65-75 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33,47-53,55-63 and 65-75 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 29.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

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1. Claims 33, 47-53, 55-63, and 65-75 are presented for examination.
2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 33, 47-53, 55-63, and 65-75 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over **Baker et al (Baker)** patent no. **5,428,730**, in view of **Kraslavsky et al. (kraslavsky)** patent no. **5,537,626**.

4. As to claim 33, Baker teaches the invention substantially as claimed, including a control device for controlling a network device connected to a network, comprising:

a communication interface adapted to received a description file including description data for a control panel of the network device (Abstract, col. 5 lines 9-55; col. 7 line 50 - col. 8 line 12); and

a controller adapted to automatically activate the description file after the description file is received from the network device (col. 7 line 28 - col. 8 line 12).

However, Baker does not explicitly teach said description file is received from the network device via the network.

Kraslavsky teaches a network printer with a NEB exports control information to network administrator PC via LAN network (col. 4 line 1-35; col. 6 line 45 - col. 7 line 19).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Baker and Kraslavsky to receive said description file from the network device via the network as taught by Kraslavsky because it would enhance the network device to be a responsive and intelligent member in the network.

5. As to claims 47, 49-50, Baker teaches the control panel includes graphical elements for controlling functions of the network devices; the controller display an icon representing the network device on a display device after the description file is automatically activated; the controller displays the control panel on the display device after the icon is selected by a user (Figure 2, begins from col. 4 line 6; and col. 6 lines 5-26).

6. As to claim 48, Baker teaches the communication interface receives the description file, after the control device detects that the network device is connected to the network (col. 7, line 50 - col. 8 line 12).

7. As to claim 51, Baker teaches the control device transmits a message corresponding to a graphical element of the control panel to the network device when

the graphical element is operated by a user (col. 6 lines 5-25). As to claims 52, Baker teaches the network device is represented as an object by predetermined objected oriented technique (col. 12 lines 23-25).

8. As to claims 53-54, Baker teaches the network device is a CD player, a digital video recorder, a digital camera, a digital television, a facsimile, a copying machine, or a printer (figure 1, figure 3).

9. As to claim 55, Baker teaches the control device is a personal computer, a word processor or a workstation (col. 2 lines 48-66).

10. Claims 56-75 have similar limitations as claims 33 and 47-55; therefore, they are rejected under the same rationale. In addition, representing a device as an object using object oriented technique is well known.

11. In the remarks, applicant rebutted in substance that

(A) Prior art does not teach a control device for controlling a network device connected to a network in which a communication interface is adapted to receive a description file from the network device via the network, the description file including description information for a control panel of the network device and a controller is adapted to automatically activate the description file after the description file is received from the network device.

As to point (A), Baker teaches the invention substantially as claimed, including a user interface 126 communicates with application programs 100 which includes multimedia application programs (MMAP 102) and multimedia device control program (MMDCP 106). MMAP is a user oriented application program providing access to services of multimedia devices appropriate to the application. MMAP interacts with MMDCP for the purpose of providing a user interface for the appropriate device, and with MMPM 104 for opening and closing the device and accessing specific features or performing custom processing. MMDCP 106 comprises an audio control 101, a video control 103, a player control 105, one or more control instances 107, panel templates 109. Controls 101, 103, and 105 are separate generic routines or programs for controlling multimedia devices having audio, video, and player attributes. In general, an application program first opens a device, and then sends a message to MMDCP to create a control screen which is done by making an instance or copy of the appropriate control and then attaching the control instance to the device. That is, once the instance has been made, it is necessary to inform it of the identity of the device it will be controlling so that the commands can be sent to the proper device. After attachment, the control instance performs its primary function of controlling the particular device; and MMDCP 106 can create three different types of control panels for controlling multimedia devices (Abstract, col. 5 lines 9-55; col. 7 line 28 - col. 8 line 12).

However, Baker does not explicitly teach said control program is received from the multimedia device via the network.

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Kraslavsky teaches a network device such as a printer with a NEB exports control information to network administrator PC via LAN network (col. 4 line 1-35; col. 6 line 45 - col. 7 line 19).

It would have been obvious to one of ordinary skill in the Data Processing art at the time of the invention to combine the teachings of Baker and Kraslavsky to receive said control program from the multimedia device via the network as taught by Kraslavsky because it would enhance the multimedia device to be a responsive and intelligent member in the network.

12. Applicant's arguments filed on 12/23/2003 have been fully considered but they are not deemed to be persuasive.

13. THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 C.F.R. § 1.136(a).

A SHORTENED STATUTORY PERIOD FOR RESPONSE TO THIS FINAL ACTION IS SET TO EXPIRE THREE MONTHS FROM THE DATE OF THIS ACTION. IN THE EVENT A FIRST RESPONSE IS FILED WITHIN TWO MONTHS OF THE MAILING DATE OF THIS FINAL ACTION AND THE ADVISORY ACTION IS NOT MAILED UNTIL AFTER THE END OF THE THREE-MONTH SHORTENED STATUTORY PERIOD, THEN THE SHORTENED STATUTORY PERIOD WILL EXPIRE ON THE DATE THE ADVISORY ACTION IS MAILED, AND ANY EXTENSION FEE PURSUANT TO 37 C.F.R. § 1.136(a) WILL BE CALCULATED FROM THE MAILING DATE OF THE ADVISORY ACTION. IN NO EVENT WILL THE STATUTORY PERIOD FOR RESPONSE EXPIRE LATER THAN SIX MONTHS FROM THE DATE OF THIS FINAL ACTION.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Le H. Luu, whose telephone number is (703) 305-9650. The examiner can normally be reached Monday through Friday from 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Rupal Dharia, can be reached at (703) 305-4003. The fax phone number for the organization where this application or proceeding is assigned is (703) 746-7240.

Any inquiry of a general nature of relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

Any response to this final action should be mailed to:

Box AF

Commissioner of Patents and Trademarks
Washington, D.C. 20231

or faxed to:

(703) 872-9306, (for formal communications; please mark
"EXPEDITED PROCEDURE").

Or:

(703) 872-9306, (for informal or draft communications, please label
"PROPOSED" or "DRAFT").

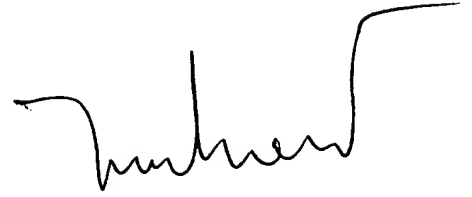
Or:

(703) 746-7238 (for After Final
communications).

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington. VA., Sixth Floor (Receptionist).

A handwritten signature in black ink, appearing to read 'Le Hien Luu', written over a horizontal line.

LE HIEN LUU
PRIMARY EXAMINER

May 19, 2004